

CABLE ~~SEC~~ DISSEM BY 7 PER .TOTAL COPIES 27-3RUN BY M10.0

PERSON/UNIT NOTIFIED

~~ADMIN INTERNAL USE ONLY~~REPRODUCTION BY OTHER THAN
ISSUING OFFICE IS PROHIBITED

ADVANCE COPY ISSUED/SLOTTED

BY

AT

Z

STATE MESSAGE

ACTION UNIT

I
N
F
O

ACTION #

T 20117

25X1

P 262016Z SEP 77

FM SECSTATE WASHDC

TO AMEMBASSY NASSAU PRIORITY 0000

BT

UNCLAS STATE 230942

E.O. 11652: N/A

TAGS: PBOB, EFIS

SUBJECT: USG OUTER CONTINENTAL SHELF PROGRAM

1) DEPT. UNDERSTANDS EMBASSY'S CONCERN THAT TIME IS NOT PROPITIOUS FOR USG TO MOVE AHEAD WITH OUTER CONTINENTAL SHELF PROGRAM IN BLAKE PLATEAU AREA. HOWEVER, TIMING OF THIS MATTER IS BASICALLY OUT OF THE DEPARTMENT'S HANDS.

2) DEPT. OF THE INTERIOR INTENDS TO PUT NOTICE IN THE FEDERAL REGISTER ON SEPTEMBER 30 ASKING FOR NOMINATIONS FROM INTERESTED PARTIES IN THE AREA NORTH AND WEST OF THE LINE DESCRIBED BELOW. THIS LINE WAS WORKED OUT WITH STATE AND IS INTENDED TO MINIMIZE PROBLEMS WITH GCOB WHILE PROTECTING US LEGAL AND RESOURCE INTERESTS. THE INITIATION OF THIS PROCESS IS THE FIRST STEP IN USG OUTER CONTINENTAL SHELF DEVELOPMENT PROGRAM, BUT IN AND OF ITSELF, DOES NOT COMMIT USG TO HOLDING A SALE, NOR DOES IT CREATE ANY THIRD-PARTY RIGHTS.

3) FOR APPARENT REASONS, WE NEED TO GIVE GCOB ADVANCE NOTICE OF THIS PROCESS; FURTHERMORE, DEPT. BELIEVES IT NECESSARY TO MAKE GENERAL RESERVATION AT THIS TIME TO DELIMITATION PROVISIONS SET FORTH IN GCOB LAW, AND TO NOTE USG WILLINGNESS TO ENGAGE IN MARITIME BOUNDARY DISCUSSIONS. RESERVATION IN DRAFT NOTE BELOW TRACKS LANGUAGE GCOB USED TO RESERVE ITS POSITION AT THE TIME USG PUBLISHED ITS FISHERY ENFORCEMENT LIMITS.

4) EMBASSY IS REQUESTED TO DELIVER FOLLOWING NOTE BEFORE SEPTEMBER 30. BEGIN TEXT:

THE EMBASSY OF THE UNITED STATES PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF EXTERNAL AFFAIRS OF THE COMMONWEALTH OF THE BAHAMAS AND HAS THE HONOR TO REFER TO THE DEPARTMENT OF STATE'S NOTE OF MARCH 4, 1977 TO THE MINISTRY'S NOTE NO. 129 OF APRIL 15, 1977, AND TO THE FISHERIES RESOURCE JURISDICTION AND CONSERVATION ACT OF 1977 RECENTLY ENACTED BY THE COMMONWEALTH OF THE BAHAMAS.

AS THE GOVERNMENT OF THE UNITED STATES OF AMERICA

~~ADMIN INTERNAL USE ONLY~~

CABLE SEC DISSEM BY _____ PER _____		TOTAL COPIES _____		RUN BY _____				
PERSON/UNIT NOTIFIED _____		ADMIN INTERNAL USE ONLY						
				REPRODUCTION BY OTHER THAN ISSUING OFFICE IS PROHIBITED				
ADVANCE COPY ISSUED/SLOTTED _____		BY _____ AT _____ Z _____		STATE MESSAGE				
ACTION UNIT	I N F O	RF.	FILE.	VR.	1		4	
					2		5	
ACTION #					3		6	
T 201170		EIA044		PAGE 02		NC 56157		
TOR:262231Z SEP 77								

UNDERSTANDS IT, IN THE ABSENCE OF AGREEMENT, THE ACT CLAIMS TO EXERCISE FISHERY JURISDICTION UP TO A-LINE TWELVE MILES DISTANT FROM CERTAIN AREAS OF THE COAST OF THE UNITED STATES. FURTHERMORE, THE ACT CLAIMS TO EXERCISE CONTINENTAL SHELF JURISDICTION IN AREAS WHERE THERE IS A CONTINUOUS CONTINENTAL SHELF TO THE EQUIDISTANT LINE MEASURED FROM THE GREAT AND LITTLE BAHAMA BANKS, AND IN AREAS WHERE THERE IS NOT A CONTINUOUS SHELF TO LIMITS DETERMINED BY INTERNATIONAL LAW. AS NOTED IN THE DEPARTMENT'S NOTE OF MARCH 4, 1977, THE POSITION OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA IS THAT MARITIME BOUNDARIES ARE TO BE DETERMINED BY AGREEMENT IN ACCORDANCE WITH EQUITABLE PRINCIPLES. IN THE ABSENCE OF AGREEMENT, THE GOVERNMENT OF THE UNITED STATES RESERVES ITS POSITION REGARDING THE EXERCISE BY THE COMMONWEALTH OF THE BAHAMAS OF FISHERY OR CONTINENTAL SHELF JURISDICTION IN AREAS WHERE THE UNITED STATES NOW EXERCISES FISHERY MANAGEMENT AUTHORITY OR IN AREAS WHERE THE UNITED STATES MAY CLAIM FISHERY MANAGEMENT AUTHORITY OR CONTINENTAL SHELF JURISDICTION. THE GOVERNMENT OF THE UNITED STATES ALSO RESERVES ITS RIGHT TO COMMENT ON OTHER PORTIONS OF THE ACT AT AN APPROPRIATE TIME.

ON A RELATED MATTER, THE GOVERNMENT OF THE UNITED STATES OF AMERICA WISHES TO BRING TO THE ATTENTION OF THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS CERTAIN MEASURES BEING PLANNED RELATING TO THE CONTINENTAL SHELF OF THE BLAKE PLATEAU AREA. IN THE NEAR FUTURE, THE UNITED STATES DEPARTMENT OF THE INTERIOR EXPECTS TO ISSUE A CALL FOR NOMINATIONS IN CERTAIN AREAS OF THE BLAKE PLATEAU PURSUANT TO UNITED STATES DOMESTIC LEGISLATION RELATING TO THE OUTER CONTINENTAL SHELF. IN GENERAL, A CALL FOR NOMINATIONS CONSTITUTES AN INFORMATION-GATHERING PROCESS. IN RESPONSE TO THIS ACTION, INTERESTED PERSONS MAY INDICATE TO THE DEPARTMENT OF THE INTERIOR THOSE AREAS OF THE CONTINENTAL SHELF WHICH ARE OF INTEREST TO THEM FOR THE PURPOSE OF LEASING FOR EXPLORATION AND EXPLOITATION OF MINERAL RESOURCES. THERE IS NO LEGAL OBLIGATION THAT ANY AREAS SO NOMINATED MUST BE OFFERED FOR LEASING. NORMALLY, THE PROCESS OF TRACT EVALUATION INITIATED BY THE CALL FOR NOMINATIONS REQUIRES AT LEAST ONE YEAR FROM THE DATE OF THE CALL FOR NOMINATIONS BEFORE FURTHER DECISIONS ARE CALLED FOR.

ADMIN INTERNAL USE ONLY

CABLE SEC DISSEM BY _____ PER _____		TOTAL COPIES _____		RUN BY _____		
PERSON/UNIT NOTIFIED _____		ADMIN INTERNAL USE ONLY				
ADVANCE COPY ISSUED/SLOTTED _____ BY _____ AT _____ Z _____				STATE MESSAGE		
ACTION UNIT	I N F O	RF.	FILE.	VR.	1	4
					2	5
					3	6
ACTION # _____						
T 201170		EIA044		PAGE 03		
				NC 56157		
TOR: 262231Z SEP 77						

THE SOLICITATION OF NOMINATIONS DOES NOT ITSELF OBLIGATE THE UNITED STATES TO TAKE ANY FURTHER MEASURES WITH RESPECT TO THIS AREA, NOR DOES IT ENTAIL THE CREATION OF ANY PRIVATE RIGHTS.

THE AREA WITHIN WHICH NOMINATIONS WILL BE SOUGHT LIE NORTH AND WEST OF LINES DESCRIBED AS FOLLOWS:

- 1) A LINE ON 31 DEG. NORTH LATITUDE EXTENDING FROM THE EAST TO 78 DEG. 20' WEST LONGITUDE.
- 2) A LINE ON 78 DEG. 20' WEST LONGITUDE FROM 31 DEG. NORTH LATITUDE TO 28 DEG. 20' NORTH LATITUDE.
- 3) A LINE ON 28 DEG. 20' NORTH LATITUDE FROM 78 DEG. 20' WEST LONGITUDE TO 79 DEG. WEST LONGITUDE.
- 4) A LINE ON 79 DEG. WEST LONGITUDE FROM 28 DEG. 20' NORTH LATITUDE TO 28 DEG. NORTH LATITUDE.
- 5) A LINE ON 28 DEG. NORTH LATITUDE EXTENDING FROM 79 DEG. WEST LONGITUDE TO THE WEST.

THE DESCRIBED LINE IS ARBITRARY, DOES NOT CONSTITUTE A CONTINENTAL SHELF BOUNDARY CLAIM, AND IS WITHOUT PREJUDICE TO ANY CONTINENTAL SHELF BOUNDARY CLAIM THAT THE UNITED STATES MAY MAKE.

IN THIS MATTER, THE GOVERNMENT OF THE UNITED STATES HAS ACTED SO AS NOT TO EXACERBATE A POTENTIAL CONTINENTAL SHELF DISPUTE WITH THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS. HOWEVER, THE GOVERNMENT OF THE UNITED STATES NOTES THAT THE LACK OF AN AGREED CONTINENTAL SHELF BOUNDARY IN THIS AREA MAKES IT DIFFICULT FOR BOTH GOVERNMENTS TO PURSUE THE DEVELOPMENT OF OFFSHORE OIL AND GAS RESOURCES.

THE GOVERNMENT OF THE UNITED STATES WISHES TO INFORM THE GOVERNMENT OF THE COMMONWEALTH OF THE BAHAMAS OF THE IMPORTANCE THAT IT ATTACHES TO A NEGOTIATED DELIMITATION OF THE CONTINENTAL SHELF IN THE BLAKE PLATEAU AREA AND OF ITS WILLINGNESS TO BEGIN NEGOTIATIONS ON A MARITIME BOUNDARY AT A MUTUALLY AGREEABLE TIME. END TEXT. CHRISTOPHER

--
ADMIN INTERNAL USE ONLY